



McGillivary  
Steele  
Elkin <sup>LLP</sup>

Molly Elkin  
mae@mselaborlaw.com

August 21, 2024

**VIA ECF**

Hon. Gabriel W. Gorenstein  
U.S. Magistrate Judge  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

Re: *Wynne, et al. v. City of New York*, Case No. 1:23-cv-09955-DEH

Dear Judge Gorenstein,

We represent the Plaintiffs in the above-referenced case and write on behalf of both Parties pursuant to the Court's Order granting the Parties' request to be referred to you for a settlement conference (Dkt. 58) in this Fair Labor Standards Act overtime pay lawsuit filed on behalf of 214 Sanitation Supervisors employed by the Sanitation Department of New York City.

On June 7, 2024, Defendant produced the payroll and leave data necessary for Plaintiffs to make an informed settlement demand. Thereafter, Plaintiffs' expert analyzed that data and built a damages model. On June 14, 2024, Plaintiffs made a settlement demand and provided Defendant with the underlying programming for their damages model. Defendant is in the process of obtaining settlement authority, and anticipates that it will have the necessary authority to engage in mediation during the last week of October.

The Parties have conferred and are available for a settlement conference with your assistance and oversight on any of the following dates or on a date more convenient for you: October 28, 29, 30, or November 1, 2024. The Parties are required to file a status report with the Court on November 1, 2024.

We thank the Court for its consideration.

Sincerely,

McGILLIVARY STEELE ELKIN LLP

Molly A. Elkin

cc: All counsel (via ECF)